Public Notice

US Army Corps of Engineers
Huntington District

In reply refer to: Issuance Date:
Public Notice No. 200300572-1 July 23, 2004
Stream: Expiration Date:
Ohio River (323.8) August 9, 2004
Address comments to: US Army Corps of Engineers, Huntington District
502 Eighth Street
ATTN: CELRH-F
Huntington, West Virginia 25701-2070

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 10 of the Rivers and Harbors Act of 1899.

APPLICANT: McGinnis Inc.
P.O. Box 534
South Point, Ohio 45680

LOCATION: On the right descending bank of the Ohio River, 323.8 miles downstream of Pittsburgh, Pennsylvania, near Coal Grove, Lawrence County, Ohio.

DESCRIPTION OF PROPOSED WORK: Plans for this proposal were previously outlined in Public Notice 200300572. The applicant has revised their design for this project to minimize environmental impacts. These revisions are relative to the size and location of the various storage tanks, the method of transfer of fluids in the plant operations, and the estimated annual production of the facility. The applicant has not changed the overall configuration of the barge platform relative to its size and shape and to where and how it would be situated on the Ohio River. This public notice presents the revised proposal and additional details on the proposed facility.

As noted in Public Notice 200300572, the applicant has requested modification of the existing facility permit in order to fleet a floating, self-contained synthetic fuel (synfuel) processing plant at this location. The following aspects of the proposal remain unchanged from the previously issued Public Notice: The proposed mobile Synfuel production plant would be mounted on two "six-cargo" barges connected together end-to-end. The floating facility would have a vertical height of approximately 67' and a maximum riverward extension of 153' riverward from the normal pool shoreline. The Synfuel plant would be moored by two spuds and supplemental anchoring devices. The Synfuel processing plant, mounted on the barge platform deck, would consist of the following: mobile material handling equipment (one clamshell crane and one bobcat), two coal surge bins, two vibrating feeders, one crusher, two pug mill mixers (binder applicators), two automatic samplers, central room trailer, motor control center, two pelletizing units, five conveyor systems, an office/employee trailer, a maintenance and backup generator shed, and a diesel fuel tank. Coal would be offloaded from adjacent barges, processed at the facility and offloaded to empty barges.

The previously design for this proposal did not include the utilization of any onshore amenities, with the exception of utility access. Revisions to the proposal include changes in the size and location of the various storage tanks, changes in the method of fluid transfer in the plant operations, and a decrease in the estimated annual production of the facility as outlined in the following paragraphs. These changes include the utilization of and modifications to existing onshore facilities.

Onshore aspects of the Synfuel operation would include an office and bathhouse for the Synfuel employees; the storage tank for the neat latex, which would be stored inside an existing building; a binder mixing unit and raw water holding tank; an elevated walkway that extends from onshore to the barge platform; and a piping system, which would be located on the walkway to transfer the binder from the mixing unit to the binder holding tank on the barge platform.

Normal production rates for the Synfuel processing operation would require approximately 5,750 gallons of the neat latex per day. This binder reagent would be delivered by a semi-tractor truck approximately once every 1.5 days. The tanker truck off-loading area would be immediately adjacent to the bulk storage tank. This area would have its own secondary containment. The neat latex would be stored in an existing onshore building on the northwest quarter of the property in a 25,000 gallon above ground storage tank. The tank would be double walled and would have secondary containment. To increase contact of the binder reagent with the coal particle, a binder mixing unit would be used to dilute the neat latex with water. This binder mixing system would be located in the same building as the neat latex storage tank.

A transfer pipe would carry the binder agent from the on-shore mixing unit to the binder holding tank on the barge platform. The transfer pipe would be double-walled for containment. The pipe would be pressurized and positioned in a manner so the pipe would drain to either end if pressure is lost. The binding agent would be pumped through these pipes on a periodic basis to replenish the tank on the Synfuel plant. The transfer pipe would extend from shore to the barge platform on the overhead elevated stationary walkway. At the barge platform end of the walkway, the binder transfer pipe would connect to flexible single-walled piping that can move and adjust with any movement of the barge due to river currents and the rise and fall of the water level in the river. This section of flexible piping would connect to another double walled pipe on the barge platform for transfer to the binder holding tank that would be located in the applicator building on the deck of the facility. This applicator building would be located inside the containment structure on the deck of the barge platform. This holding tank would have a 10,000 gallon capacity.

A 1,000 gallon diesel fuel storage tank would be mounted on the deck of the facility near the upstream end of the barge platform. A containment system would be constructed around the tank. As needed, diesel fuel would be transferred to the storage tank from a fuel barge or from the harbor tug.

Water for the proposed plant would be obtained from the Village of Coal Grove. For processing operations, water would be stored in a 10,000 gallon storage tank in an on-shore building. Water would be pumped from this tank into the binder mixing unit. A water line would also extend to the barge platform to provide a potable water source for employees at the facility. Wastewater produced as an indirect result of the Synfuel processing operation would be collected in the cargo tanks on the barges. This wastewater would be removed from these tanks for reuse, disposal at the existing sediment ponds on-shore, or for transport to a disposal facility. Sanitary waste water would be processed through an approved Marine Sanitation Device.

An estimated average of 200 tons of raw coal per hour would be processed at the Synfuel plant, resulting in an estimated annual production of 1,752,000 ton per year. At this estimated maximum capacity, approximately three coal barges would be offloaded and three Synfuel barges would be loaded per day.

No dredging is planned for the facility. The applicant has received an Ohio Environmental Protection Agency Division of Air Pollution Control to Permit to Install. Plans of the proposed work are attached to this notice.

Alternatives Analysis: To comply with 33 CFR 320.4 and National Environmental Policy Act requirements, an alternatives analysis was requested for this proposal. The applicant has submitted the requested information, which is currently under review by this office.

HISTORIC & CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it has been determined that there are no properties currently listed on the register that are in the area affected by the project. A copy of this public notice will be furnished to the State Historic Preservation Office for their review. Comments concerning archaeological sensitivity of a project area should be based upon collected data.

THREATENED & ENDANGERED SPECIES: This project is located within the known or historic range of the following endangered species: Indiana bat (Endangered), pink mucket pearly mussel (Endangered), running buffalo clover (Endangered), sheepnose mussel (Currently under evaluation for Federal Candidate status).

This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST: Any person who has an interest, which may be adversely affected by the issuance of a permit, may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production,

mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Persons wishing to submit comments, objections or requests for public hearings concerning the Corps of Engineers permit should write:

U.S. Army Corps of Engineers
ATTN: CELRH-OR-F Public Notice No. 200300572-1
502 8th Street
Huntington, West Virginia 25701-2070

If you have any questions concerning this public notice, please call Ms. Susan A. Fields of my staff at 304-399-5210.

Ginger Mullins
Chief, Regulatory Branch

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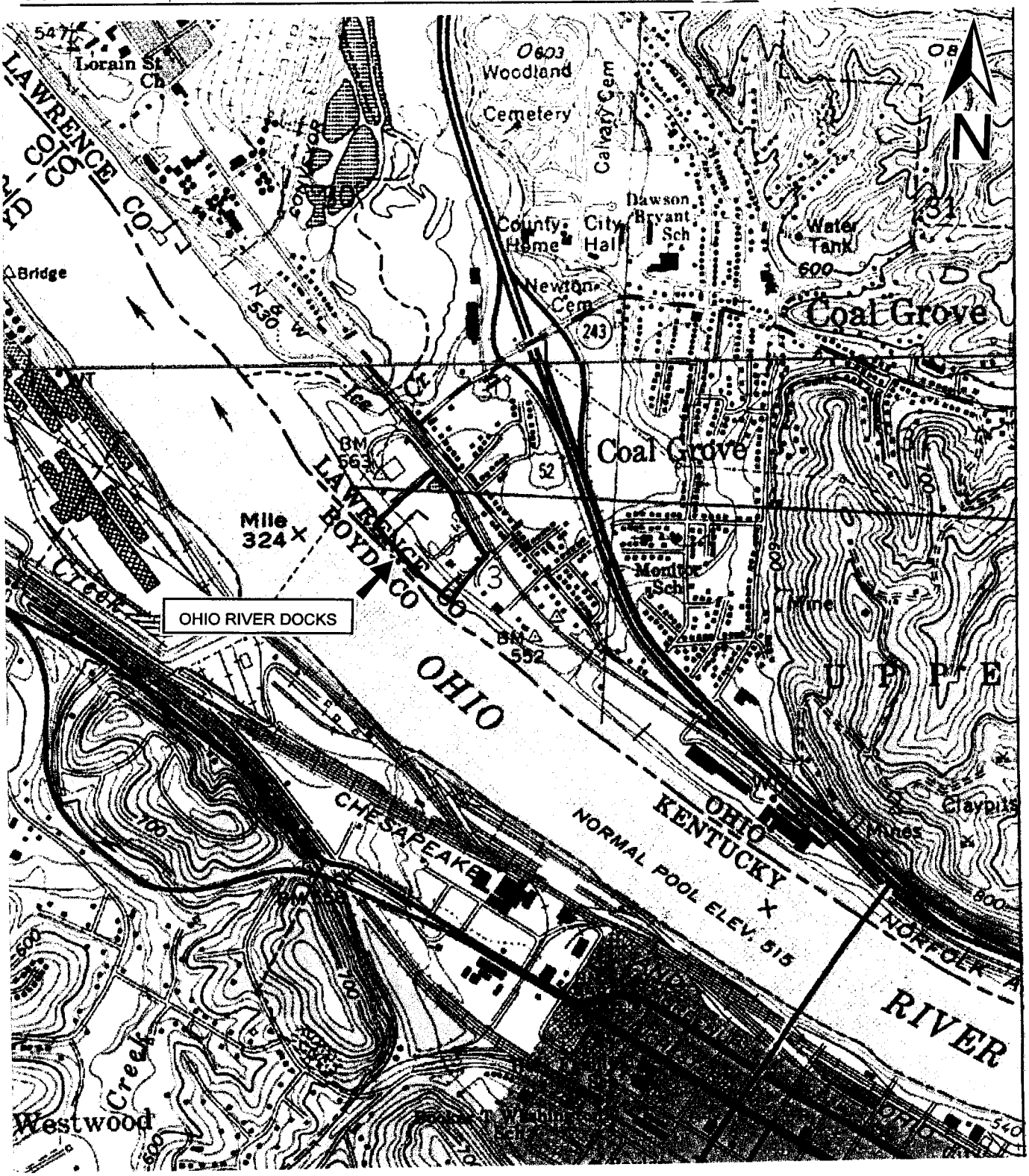
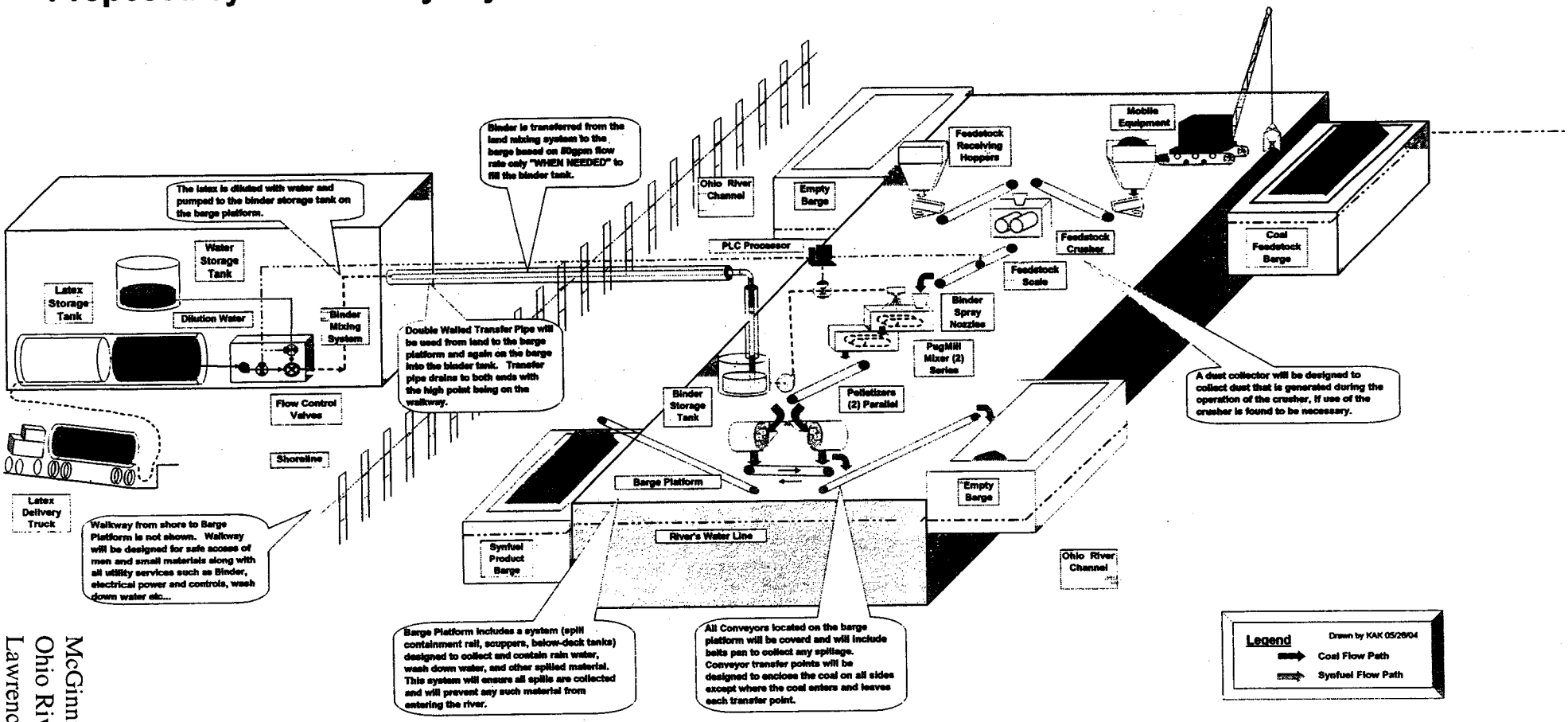


McGinnis, Inc. – Synfuel Processing Plant
Ohio River MP 323.8 – 200300572-1
Lawrence County, Ohio
Location Map, Sheet 1 of 2

Process Diagram
Proposed Synfuel Facility Layout at Ohio River mile post 323.8



SCHEMATIC PLAN FOR SYNFUEL PROCESSING PLANT
OHIO RIVER MILEPOST 323.8, RIGHT DESCENDING BANK
OHIO RIVER DOCKS, COAL GROVE, LAWRENCE COUNTY, OHIO

McGinnis, Inc. – Synfuel Processing Plant
Ohio River MP 323.8 – 200300572-1
Lawrence County, Ohio
Schematic Diagram, Sheet 2 of 2